



BANNER & WITCOFF, LTD.  
1100 13th STREET, N.W.  
SUITE 1200  
WASHINGTON DC 20005-4051

**MAILED**

**SEP 30 2010**

**OFFICE OF PETITIONS**

In re Patent No. 7,623,447  
Issued: November 24, 2009  
Application No. 09/709,716  
Filed: November 13, 2000  
Attorney Docket No. 004770.02006

: DECISION ON REQUEST  
: FOR RECONSIDERATION  
: OF PATENT TERM ADJUSTMENT  
: AND  
: NOTICE OF INTENT TO ISSUE  
: CERTIFICATE OF CORRECTION

This is a decision on the "REQUEST FOR RECALCULATION ON PATENT TERM ADJUSTMENT IN VIEW OF WYETH" filed May 20, 2010, requesting that the patent term adjustment determination for the above-identified patent be decreased by 245 days. Applicant requests this correction in part on the basis that the Office will take in excess of three years to issue this patent and is in considered in light of the Court of Appeals for the Federal Circuit's decision in *Wyeth v. Kappos*, 2009-1120 (Fed. Cir. 1-7-2010).

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is adjusted by two thousand three hundred twenty-five (2325) days and is **GRANTED**.

The application is being forwarded to the Certificates of Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **two thousand three hundred twenty-five (2325) days**.

Telephone inquiries specific to this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

**DRAFT**  
**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**CERTIFICATE OF CORRECTION**

PATENT : 7,623,447 B1

DATED : November 24, 2009

INVENTOR(S) : Stefano Faccin

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[\*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (1659) days

Delete the phrase “by 1659 days” and insert – by 2325 days--